

COUNTY COUNCIL

AS AMENDED

OF

HARFORD COUNTY, MARYLAND

BILL NO. 76-87 (as amended)

Introduced by Councilman CooperLegislative Day No. 76-32Date: September 21, 1976

AN ACT to add new Chapter 23, heading, "Vehicles and Traffic", to the Harford County Code (1975), and to add new Article 5, heading, "County Vehicles", to said Chapter 23, all to be added to the Harford County Code (1975); to establish standards and criteria for the assignment and use of County owned or leased vehicles generally.

By the Council, September 21, 1976

Introduced, read first time, ordered posted and public hearing scheduled

on: October 19, 1976at: 7:00 P.M.By Order: Angela Markowski, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on October 19, 1976 and concluded on October 19, 1976.

Angela Markowski, Secretary

1 Section 1. *Be It Enacted By The County Council Of Harford County,*
2 *Maryland,* that new Chapter 23, heading, "Vehicles and Traffic",
3 be, and it is hereby added to the Harford County Code (1975),
4 and that new Article 5, heading, "County Vehicles", be, and it is
5 hereby added to Chapter 23 of the Harford County Code (1975), all
6 to read as follows:

7 CHAPTER 23. VEHICLES AND TRAFFIC.

8 ARTICLE 5. COUNTY VEHICLES.

9 Section 23-30. Applicability.

10 This Article shall apply to the use and operation of all
11 County owned or leased vehicles that are primarily designed for
12 the transportation of passengers and shall apply to pickup trucks
13 or other trucks whose use or intended purpose is to transport
14 personnel as well as materials and supplies. This Act shall apply
15 only to those operators of and vehicles titled in the name of
16 Harford County, Maryland, excluding law enforcement, fire
17 protection and emergency ambulance service operators and vehicles.

18 Section 23-31. General.

19 (a) All vehicles utilized by or leased by agencies of
20 Harford County, Maryland, shall be titled in or leased by Harford
21 County, Maryland, and may have the using agency also listed on the
22 title or lease. ALL VEHICLES OWNED OR OPERATED BY THE COUNTY SHALL
23 HAVE LICENSE TAGS THAT ARE ISSUED BY THE STATE THAT CLEARLY
24 DESIGNATE THE PLATE AS BEING ISSUED TO A POLITICAL SUBDIVISION AND
25 SHALL HAVE A DECAL PLACED ON EACH SIDE THAT CLEARLY IDENTIFIES THE
26 VEHICLE AS BEING OWNED OR OPERATED BY THE COUNTY.

27 (b) County vehicles shall be assigned to agencies of
28 the County Government by the County Executive as approved in an
29 Annual Budget and Appropriation Ordinance. Except as otherwise
30 prohibited by law, vehicles may be reassigned between agencies by
31 the County Executive or his designee when assigned vehicles are
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1 no longer required for the efficient, effective operation of the
2 agency to which the vehicle is assigned.

3 (c) No vehicle may be assigned to one (1) particular
4 person except for the County Executive, DISTRICT SUPERVISORS OF
5 THE DEPARTMENT OF PARKS AND RECREATION and the Director of
6 Administration or a person who is regularly assigned to and is
7 actually required to respond to emergencies on a twenty-four (24)
8 hour basis. An emergency is a situation involving any unforeseen
9 combination of circumstances, or pressing necessities that may
10 cause the loss of life, limb or property and which necessitates
11 prompt and immediate action or remedy by the individual to whom
12 the vehicle is assigned.

13 (d) No vehicle shall be assigned to an individual whose
14 record indicates a tendency of being accident prone; or whose
15 driving habits or general health condition is poor; or whose
16 record indicates a lack of regard for County property or who has
17 not properly used or maintained, in a careful manner, a previously
18 assigned vehicle.

19 (e) When not in use, all vehicles shall be available
20 for other employees requiring transportation for official business.
21 DURING NORMAL BUSINESS HOURS Mileage EXCEPT FOR THE COUNTY
22 EXECUTIVE AND COUNTY COUNCILMEN, MILEAGE allowances for use of
23 privately owned vehicles shall not be allowed if a County vehicle
24 is available.

25 (f) No County vehicle may be operated by any person
26 who is not an officer or employee of Harford County, Maryland.

27 (g) If a County vehicle is assigned to a particular
28 person for use; that person shall be charged by the County the
29 same rate for the distance traveled from his residence to his
30 place of work as is allowed to County personnel as reimbursement
31 for mileage expenses when they use a privately owned vehicle for
32 County business; except where a vehicle is assigned to a person

1 who is required to respond to emergency calls on a twenty-four
2 (24) hour basis. If that person elects to drive the vehicle to
3 and from work, no charge shall be made.

4 (g) EXCEPT FOR THE COUNTY EXECUTIVE AND THOSE PERSONS
5 ASSIGNED VEHICLES TO RESPOND TO EMERGENCY CALLS ON A TWENTY-FOUR
6 (24) HOUR BASIS, ALL PERSONS TO WHOM A VEHICLE IS PERSONALLY
7 ASSIGNED SHALL BE CHARGED BY THE COUNTY THE SAME RATE FOR THE
8 DISTANCE TRAVELED TO AND FROM HIS RESIDENCE AND HIS PLACE OF WORK
9 AS IS ALLOWED TO COUNTY PERSONNEL AS REIMBURSEMENT FOR MILEAGE
10 EXPENSES WHEN THEY USE A PRIVATELY OWNED VEHICLE FOR COUNTY
11 BUSINESS.

12 (h) (g) Except as provided for herein, no vehicle
13 assignments shall be made specifically on the basis of seniority
14 or personnel classification of an individual. Permanent
15 assignment of County owned vehicles shall be made only to
16 persons meeting the established criteria.

17 Section 23-32. General Rules for Operation of County Vehicles.

18 (a) The operator of a County owned vehicle shall be
19 personally responsible for the vehicle assigned to or operated
20 by him. Should damage result through misuse or gross negligence,
21 the operator may be required to make restitution to the County.
22 If the vehicle is damaged beyond repair, such restitution shall
23 be in the amount of the then current wholesale value of the
24 vehicle as reported in the National Auto Dealer Association's
25 official guidebook. The employee, having made such restitution,
26 will then be entitled to the damaged vehicle.

27 (b) The operator of a County owned vehicle is charged
28 with the responsibility to take all reasonable precautions to
29 ensure the safety of the vehicle and its contents from theft and
30 vandalism. When leaving County owned vehicles, the operator is
31 to lock the vehicle and take the keys with him, except in those
32 instances when parking in a commercial parking garage where it

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1 is required to leave the keys in the vehicle. When parked on
2 County owned or operated lots, keys shall either be retained by
3 the operator or turned in to the designated custodian.

4 (c) County owned vehicles shall be used for official
5 business only, and when permanently assigned to personnel required
6 to respond to emergency calls on a twenty-four (24) hour basis,
7 for travel directly to and from home and the designated place of
8 work. Use by anyone of a County owned vehicle for personal
9 business, i.e., except as permitted herein, driving to and from
10 work; transporting members of the family; children to and from
11 school; shopping; or for pleasure is prohibited.

12 (d) County officers and employees may not accept the
13 use, in the performance of County business, a motor vehicle which
14 is not titled to Harford County, Maryland, unless the vehicle's
15 owner or owners receive a reasonable compensation. If such
16 vehicles are to be operated by anyone other than a County officer
17 or employee on official business, the additional insurance
18 coverage and the cost thereof shall be paid by the using department
19 through the County Treasurer's office. A written request for such
20 arrangements for use of a vehicle not titled to Harford County,
21 Maryland, to conduct official business, shall be submitted to the
22 County Executive.

23 (e) Willful disregard of these regulations will be
24 considered just cause for disciplinary action under the Harford
25 County Personnel Law and Civil Service Regulations.

26 (f) All drivers must have a driver's license which is
27 valid in the State of Maryland.

28 (g) All traffic and parking laws are to be obeyed.
29 Posted speed limits are not to be exceeded nor is the vehicle to
30 be operated above safe driving speeds for road conditions. All
31 violation fines shall be the responsibility of the driver involved.

32 (h) All accidents are to be reported by vehicle

1 operators to their agency heads immediately, even though another
2 vehicle is not involved or there are no apparent injuries or
3 damages. A written report must be forwarded to the Director of
4 Administration immediately by the agency head.

5 (i) A daily travel log shall be maintained in each
6 County owned automobile to be turned in to agency heads on a
7 weekly basis. Logs must indicate all destinations, stops and
8 miles commuted to and from their residence and principal work
9 locations by the driver, even if driven by different individuals.
10 Agencies are required to have these logs available for audit
11 purposes for a minimum of three (3) years.

12 (j) County owned vehicles are to be efficiently
13 maintained. Vehicles assigned to agencies unable to provide
14 scheduled maintenance are to be guided by oil changes, lubrica-
15 tions and maintenance recommendations of the manufacturer. All
16 warranties are to be exercised.

17 (k) The use of County credit cards is restricted to
18 County owned automobiles and under no circumstances are to be left
19 in the custody of service station attendants or other persons
20 not employed by the County.

21 Section 23-33. Motor Vehicle Pool Operations.

22 The County Executive shall establish intra-agency
23 County owned motor vehicle pools in which all vehicles not
24 assigned to individuals shall be maintained. The reimbursed use
25 of privately owned vehicles for County business, during normal
26 business hours of the County, shall be allowed only when no
27 County owned vehicle is available.

28 Section 23-34.

29 The County Executive shall establish rules, regulations
30 and procedures to provide for the effectuation of this Article.

31 Section 2. *And Be It Further Enacted*, that if any provision or
32 provisions of this Act, or the particular application thereof,

1 shall be held to be invalid, the remaining provisions and their
2 application shall not be affected thereby. Should any provision
3 hereof be inconsistent with any rule, regulation or policy of
4 any other agency having jurisdiction, such provision shall be
5 invalid, but the remaining provisions and their application shall
6 not be affected thereby.

7 Section 3. *And Be It Further Enacted*, that this Act shall take
8 effect sixty (60) days from the date it becomes law.

9 EFFECTIVE: January 17, 1977

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BY THE COUNCIL

Read the third time.

Passed LSD 76-36 November 2, 1976 (with amendments)

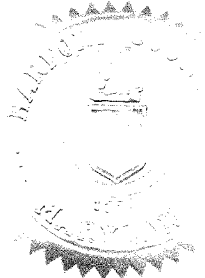
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By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 3rd day of November, 1976
at 3:00 o'clock P.M.

Angela Markowski, Secretary



BY THE EXECUTIVE

APPROVED:

[Signature]
County Executive

Date 11-16-76

BY THE COUNCIL

This Bill, having been approved by the
Executive and returned to the Council, becomes
law on November 16, 1976.

Angela Markowski
Angela Markowski, Council Secretary

EFFECTIVE DATE: January 17, 1977

Rec'd for record 7/29 1977 at 9:00 A.M.
Same day recorded & examined, per
H. Douglas Chilcoat, Clerk